



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Dennis Kennedy, Mayor	Dennis Kennedy, Chair
Steve Tate, Mayor Pro Tempore	Steve Tate, Vice-Chair
Larry Carr, Council Member	Larry Carr, Agency Member
Mark Grzan, Council Member	Mark Grzan, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member

WEDNESDAY, JUNE 1, 2005

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

A Special Meeting of the Redevelopment Agency is Called at 7:00 P.M. for the Purpose of Conducting City Business and Closed Sessions.

Dennis Kennedy, Mayor/Chairman

CALL TO ORDER

(Mayor/Chairperson Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

RECOGNITIONS

Retiring Parks & Recreation Commissioner
Don Jensen

Recognition of Citizens for Bravery
Juan R. Murillo, Arturo Pinacho, and Erica Cabrera

CITY COUNCIL REPORT

Council Member Grzan

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council Action

CONSENT CALENDAR:

ITEMS 1-5

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
1.	<u>PERFORMANCE MEASURE UPDATE - THIRD QUARTER FY 2004-2005</u> <u>Recommended Action(s): Receive and File.</u>	1
2.	<u>APPROVE FINAL MAP FOR SAN PEDRO VILLAS PHASE III (TRACT 9695)</u> <u>Recommended Action(s):</u> 1. <u>Approve</u> the Final Map; and 2. <u>Authorize</u> the Recordation of the Map following Recordation of the Development Improvement Agreement.	15
3.	<u>ENVIRONMENTAL ASSESSMENT, EA-05-05: EDMUNDSON-INDOOR RECREATION CENTER (IRC) BIKE PATH</u> <u>Recommended Action(s): Approve</u> Addendum to the Adopted Mitigated Negative Declaration for the Morgan Hill Community Indoor Recreation Center.	19
4.	<u>ADOPT ORDINANCE NO. 1724, NEW SERIES</u> <u>Recommended Action(s): Waive</u> the Reading, and <u>Adopt</u> Ordinance No. 1724, New Series, and <u>Declare</u> That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A PRECISE DEVELOPMENT PLAN FOR PHASES 7, 8, 9 & 10 (81 UNITS) OF THE CAPRIANO/MADRONE CROSSING DEVELOPMENT. THE RESIDENTIAL DEVELOPMENT PLAN COVERS A 68 ACRE SITE LOCATED ON THE WEST SIDE OF MONTEREY ROAD, SOUTH SIDE OF TILTON AVENUE, ON THE EAST SIDE OF HALE AVE. (APN's 764-09-005, 006, 007, 008, 009, 010 & 014) .	25
5.	<u>ADOPT ORDINANCE NO. 1725, NEW SERIES</u> <u>Recommended Action(s): Waive</u> the Reading, and <u>Adopt</u> Ordinance No. 1725, New Series, and <u>Declare</u> That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING DEVELOPMENT AGREEMENT, DA 04-08: TILTON-GLENROCK FOR APPLICATION MP-02-03: TILTON-GLENROCK (APNS 764-9-06, 16, 17, 32 & 33) .	31

City Council and Redevelopment Agency Action

CONSENT CALENDAR: **ITEMS 6-8**

	Time Estimate		Page
	Consent Calendar: 1 - 10 Minutes		
6.		<u>AGREEMENT WITH MORGAN HILL COMMUNITY FOUNDATION FOR HIRAM MORGAN HILL STATUE</u>	35
		<u>Recommended Action(s): Adopt</u> Redevelopment Agency and City Council Resolutions Authorizing the Executive Director to Execute an Agreement to Advance \$52,000 to the Morgan Hill Community Foundation Regarding the "Waiting for the Train" Statue.	
7.		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF MAY 20, 2005</u>	51
8.		<u>APPROVE JOINT SPECIAL AND REGULAR REDEVELOPMENT AGENCY AND SPECIAL CITY COUNCIL MEETING MINUTES OF MAY 25, 2005</u>	67

City Council Action

PUBLIC HEARINGS: **Time Estimate**

	Time Estimate		Page
9.	5 Minutes	<u>DEVELOPMENT AGREEMENT APPLICATION, DA-05-01: COCHRANE-MISSION RANCH</u>	85
		Public Hearing Opened. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion. Action- <u>Motion to Waive</u> the Reading in Full of Development Agreement Ordinance. Action- <u>Motion to Introduce</u> Development Agreement Ordinance by Title Only. (Roll Call Vote)	
10.	10 Minutes	<u>CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION TO ESTABLISH MONTEREY UNDERGROUND UTILITIES DISTRICT NO. 3 – DUNNE AVENUE TO COSMO AVENUE</u>	111
		Public Hearing Opened. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion. Action- <u>Adopt</u> Resolution Establishing Monterey Underground Utilities District No. 3 - Dunne Avenue to Cosmo Avenue; and Action- <u>Direct</u> City Clerk to Notify all Affected Utilities and All Persons Owning Real Property Within ten (10) Days after the Adoption of the Resolution.	
11.	5 Minutes	<u>2005 HAZARDOUS BRUSH PROGRAM COMMENCEMENT REPORT AND PUBLIC HEARING</u>	117
		Public Hearing Opened. Please Limit Your Remarks to 3 Minutes. Public Hearing Closed Council Discussion.	

City Council and Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
12.	15 Minutes	<u>PROPERTY BASED IMPROVEMENT DISTRICT (PBID)</u>	121
		<u>Recommended Action(s):</u>	
		1. <u>Consider</u> a Petition from the Morgan Hill Downtown Association (MHDA) to Initiate a Special Assessment Proceeding to Form a PBID in Downtown; and if there are Adequate Signatures, <u>Adopt</u> the Resolution of Intent to Initiate Special Assessment Proceedings; and	
		2. If the Petition Lacks Adequate Signatures, <u>Consider</u> the Following Options:	
		a) <u>Request</u> the MHDA to Collect More Signatures for the Petition and Return to the City Council for Consideration when a Base Threshold has been met; or	
		b) <u>Direct</u> the City Manager/Executive Director to Sign the Petition in Favor of the Assessment, and <u>Adopt</u> the Resolution of Intent to Initiate the Special Assessment Proceedings Should the 50% Threshold be met.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
13.	10 Minutes	<u>ADDITIONAL TIME EXTENSION REQUEST FOR SUBDIVISION IMPROVEMENT AGREEMENT FOR ALCINI PARTNERSHIP/MAST AVENUE</u>	163
		<u>Recommended Action(s):</u>	
		1. <u>Require</u> the Public Improvements to be completed by September 1, 2005 as required by the Most Recent Extension of the Subdivision Improvement Agreement; and	
		2. <u>Grant</u> the Developer's Request to Extend the Time, with the Condition that the Extension Granted by Council on September 1, 2004 must be Fully Executed and Complied with no later than July 1, 2005.	
14.	10 Minutes	<u>JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP</u>	179
		<u>Recommended Action(s):</u> <u>Direct</u> Staff to Schedule a Joint Workshop with the Planning Commission on June 6, 2005.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority:	Government Code Sections 54956.9(b) & (c)
Number of Potential Cases:	2

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

ADJOURNMENT